

REMARKS

Reconsideration of the application and allowance of the amended claims are respectfully requested in light of the following comments:

Claim 1 has been amended to better define the meaning of "high molecular weight". This amendment has not been entered to overcome the rejection based on Dupre et al but rather to remove any uncertainty as to what that phrase, as used in the claims, is meant to cover. Support for this amendment can be found on page 4, lines 31 to 34 of the specification. Accordingly, no new matter has been added.

The Examiner has rejected claims 1 to 8 under 35 U.S.C. 102 (b) as anticipated by or, in the alternative, under 35 U.S.C. 103 (a) as obvious over U.S. Patent Number 6,369,171 to Dupre et al. The Examiner correctly points out that the reference differs from the claims in that the reference does not disclose the claimed characteristics of low nitrogen content from 0 to 3% nor the alkalinity of from about 4 to 15. Nonetheless, the Examiner is of the belief that the reference discloses a phenol-formaldehyde resin with overlapping molar ratio, overlapping viscosity, overlapping solids content and overlapping pH. In light of the similarities the Examiner concludes that it would be inherent that the product, a phenol-formaldehyde resin having these overlapping ranges, having the claimed nitrogen content and the claimed alkalinity could be prepared following the teachings of the reference.

Applicant has carefully considered these alternative grounds of rejection and continues to believe the claims to be patentable over Dupre et al.

Addressing the anticipation rejection, Applicant appreciates that the Examiner has acknowledged that Dupre et al. does not teach or disclose low nitrogen content from 0 to 3% nor the alkalinity of from about 4 to 15. On this basis alone, it is believed a rejection under 35 U.S.C. 102 (b) to be inappropriate. However the differences are even more significant in that Dupre et al. actually teaches exactly what the present invention seeks to avoid. Dupre et al. in all instances seeks to utilize a resin system that has as necessary components high nitrogen-containing materials, such as melamine, urea or an amine. Dupre et al. views as interchangeable the phenol-formaldehyde or melamine-formaldehyde and then combines it with urea and ammonia or a primary amine. This system is the binder that Dupre et al. seeks to utilize, it is a system in which the presence of significant amounts of nitrogen is essential. It is, if anything, not a low-nitrogen content resin. Thus, not only does Dupre et al. not disclose the necessary elements of Applicant's claims as acknowledged by the Examiner, to the extent Dupre et al. guides the reader as to which types of phenol-formaldehyde resins fall

within its teachings they are undeniably resins with significant nitrogen contents. There can be no inherency given absence of the elements of Applicant's invention when viewed with the overall intent of Dupre et al. to have exactly that which Applicant's seek to avoid. In light of the foregoing, reconsideration and withdrawal of this ground of rejection is respectfully requested.

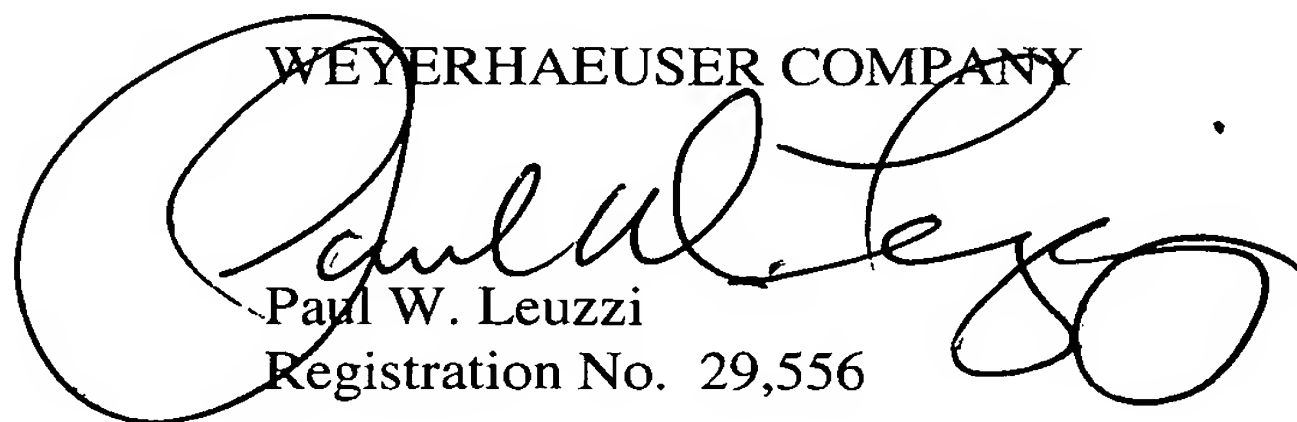
Addressing the obviousness rejection, Applicant fails to see the motivation within Dupre et al. to arrive at Applicant's invention. As noted above, Dupre et al. in all instances seeks to utilize a resin system that has as necessary components high nitrogen-containing materials, such as melamine, urea or an amine. Dupre et al. views as interchangeable the phenol-formaldehyde or melamine-formaldehyde and then combines it with urea and ammonia or a primary amine. This system is the binder that Dupre et al. seeks to utilize, it is a system in which the presence of significant amounts of nitrogen is essential. Thus, Dupre et al. actually teaches away from the present invention. Not only is there no motivation in the teaching of Dupre et al. to use a low-nitrogen containing resin, but exactly the opposite is found in its requirement of adding components having high nitrogen contents. For this reason, Dupre et al. does not make obvious the claimed invention. In light of the foregoing, reconsideration and withdrawal of this ground of rejection is respectfully requested.

CONCLUSION

In light of the foregoing comments, Applicant believes the amended claims to be patentable over the art of record and respectfully request that the rejections be withdrawn and the claims allowed in their current form.

Respectfully submitted,

WEYERHAEUSER COMPANY

A large, stylized handwritten signature in black ink, appearing to read 'Paul W. Leuzzi', is written over the printed name and registration number.

Paul W. Leuzzi

Registration No. 29,556

Direct Dial No. 253-924-3215